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FM USMISSION USUN NEW YORK
TO RUEHC/SECSTATE WASHDC IMMEDIATE 4476
INFO RUEHXX/ARAB ISRAELI COLLECTIVE IMMEDIATE
RUEHZL/EUROPEAN POLITICAL COLLECTIVE IMMEDIATE
RUEHGG/UN SECURITY COUNCIL COLLECTIVE IMMEDIATE

C O N F I D E N T I A L SECTION 01 OF 02 USUN NEW YORK 000551

SIPDIS

E.O. 12958: DECL: 06/24/2018

TAGS: [PREL](#) [PTER](#) [UNSC](#) [SY](#) [LE](#)

SUBJECT: LEBANON TRIBUNAL: BELLEMARE JUSTIFIES STAFFING
REQUEST

REF: A. USUN/IO EMAIL (WILCOX/MORRISON)-06/23/08

[1](#)B. USUN/IO EMAIL (WILCOX/REINEMEYER)-06/18/08

[1](#)C. USUN 468

Classified By: Minister Counselor Carolyn L. Willson, for reasons 1.4(b)
) and (d).

[1](#)1. (C) BEGIN SUMMARY: STL Prosecutor-Designate Daniel Bellemare, who heads the UN International Independent Investigative Commission (UNIIIC), briefed the Management Committee for the Special Tribunal for Lebanon (STL) on June 19 on his request for 114 staff for the Office of the Prosecutor (OTP). Bellemare justified his significant staffing request, which includes numerous senior positions, as necessary to attract the top-flight criminal investigators and lawyers he needs to prosecute the sophisticated, well-funded defendants that he expects to indict. He urged the Management Committee not to try to lower costs for the STL by reducing or downgrading the posts he has requested for the OTP, arguing that his proposal reflects what is necessary to ensure successful prosecutions. END SUMMARY.

[1](#)2. (C) STL Prosecutor-Designate Daniel Bellemare briefed the STL Management Committee on June 19 on his request for staffing the STL Office of the Prosecutor. Bellemare pressed the Management Committee to give him the flexibility to recruit the best personnel, including investigators currently working for the UNIIIC, and urged the Committee to accept his proposal soon so he can begin planning for the transition from the UNIIIC to the OTP. Pledging his willingness to address any questions Committee members might pose, Bellemare offered to travel to members' capitals to explain his proposal.

[1](#)3. (C) Bellemare cautioned that the Management Committee should not refer to other international tribunals in considering his staffing proposal, arguing that the STL, as the first international anti-terrorist tribunal, is unique. Unlike the defendants tried by the other tribunals, the perpetrators of the attacks on Rafiq Hariri and others are still part of an organized network that will use its substantial resources to thwart convictions. In this way, Bellemare said, the STL's trials will resemble Mafia prosecutions. As a result, the best way to consider staffing for the STL is to look at the experience gained during the UNIIIC's three years of operations.

[1](#)4. (C) Bellemare said he assumed the Security Council would not extend the UNIIIC's mandate beyond December 31, but that the STL would need staff to continue the investigation. As a result, he said he planned to transpose key UNIIIC positions and offices directly to the OTP. For example, Bellemare explained that the Legal Advisory Section he envisions for the OTP, which would provide legal advice and opinions on general legal issues concerning the STL and on particular cases under investigation and/or on trial to ensure that the activities of the OTP are in full compliance with applicable laws, currently exists within the UNIIIC. Similarly,

Bellemare proposed to move existing UNIIIC offices responsible for analyzing communications data, other evidence directly into the STL, as well as the offices of the UNIIIC that handle case investigations, forensics, and evidence and information management.

¶5. (C) Since the OTP will continue the UNIIIC's functions and retain key offices and staff members, Bellemare urged the Management Committee to provide current UNIIIC staff with the same compensation and benefits when they join the STL. In that regard, Bellemare said the D-1 Chef de Cabinet he proposes for the Prosecutor's Front Office already exists within the UNIIIC (albeit by a different name). Similarly, the D-1 Chief of Prosecutions also is already part of the UNIIIC.

¶6. (C) Predicting that the security-threat level would increase after the STL becomes operational, Bellemare said he must be able to offer competitive salaries to attract experienced criminal investigators. In the last three weeks, Bellemare complained that he had several "ideal" candidates turn down offers to work for the UNIIIC in Beirut due to salary and security concerns. To mitigate security risks in part, Bellemare said he planned to base all but nine members of the OTP in The Hague, although he stressed that OTP staff members would still face a high security risk. The STL would maintain a small office in Beirut to support investigators traveling to Beirut, he said.

¶7. (C) Following his presentation, Bellemare responded to initial questions from Committee members and agreed to provide more detailed responses in writing. Several

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Committee members commented that Bellemare sought many senior positions; Bellemare responded that he needed to be able to offer high salaries to attract high-caliber personnel. (Note: On the margins of the meeting, USUN asked Bellemare about his proposals to hire a Senior Political Officer and a Public Information Officer, both at the P-5 level. Bellemare explained that he had identified a candidate for the Public Information Officer who would only accept the position if it is graded at the P-5 level. End Note.)

¶8. (C) Several members also questioned why Bellemare proposed that the Lebanese Deputy Prosecutor would be hired at the D-2 level. He said the Deputy Prosecutor for the STL differed from the Deputy Prosecutor Position in other international tribunals, so the OTP would have to hire other people to fulfill the functions that a Deputy Prosecutor would normally handle. By statute, the Deputy Prosecutor must be Lebanese and it is important to have a senior person in the job who can coordinate with the Lebanese government on key aspects concerning the investigation, Bellemare said. When the new Lebanese government assumes office, the Deputy Prosecutor's role will be particularly sensitive, Bellemare said.

¶9. (SBU) The Management Committee meets again on June 26 to continue to consider the staffing proposal. The Chairman asked members to submit additional detailed comments in writing by June 25.
Khalilzad